

10/533598

JCT/PTO 03 MAY 2005 #3

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Robert Watts

Name of Person Signing (Type or Print)

Signed: Robert Watts

Customer Number

24024

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Dietmar Funnemann et al.	)	Examiner: Not yet assigned
	)	
Serial No.: not yet assigned	)	Art Unit: Not yet assigned
	)	
Filed: concurrently herewith	)	Attorney Docket No.: 30820/04000
	)	
For: <b>ENERGY FILTER IMAGE GENERATOR)</b>	)	
<b>FOR ELECTRICALLY CHARGED )</b>	)	
<b>PARTICLES AND THE USE THEREOF )</b>	)	

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B forms and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

FOREIGN LANGUAGE DOCUMENTS

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant encloses herewith a copy of a Communication from a foreign patent office in a counterpart application citing such documents, together with that portion of the Communication indicating the degree of relevance found by the foreign patent office.

- ☐ In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant submits the following explanations:
- 
- ☐ Complete English translations of foreign language documents are being submitted herewith, and therefore no concise explanation for such documents is required.

**CERTIFICATION AND FEE PAYMENT INFORMATION**

- ☒ The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after filing a request for continued examination under 37 C.F.R. § 1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required. If this is not the case, the patent office is hereby authorized to charge any related fee to **Deposit Account No. 030172**.
- ☐ The present Information Disclosure Statement is being filed thirty days or fewer from a Communication from a foreign patent office and Applicant submits the following Statement Under 37 C.F.R. § 1.704(d). Each item of information contained in the Information Disclosure Statement was cited in a Communication from a foreign patent office in a counterpart application and this Communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.
- ☐ The present Information Disclosure Statement is being filed after the later of three months from the application's filing date and mailing date of the first Office Action on the merits, but before a Final Office Action, Notice of Allowance, or an action that otherwise closes prosecution in the application (whichever is earlier), and therefore Applicant submits the following Statement under 37 C.F.R. § 1.97(e). No fee under 37 C.F.R. § 1.17(p) is required. If this is not the case, the patent office is hereby authorized to charge any related fee to **Deposit Account No. 030172**
- ☐ Each item of information contained in this information disclosure statement was cited in a Communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- ☐ No item of information contained in this information disclosure statement was cited in a Communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR § 1.56(c) more than

INFORMATION DISCLOSURE STATEMENT

Attorney Docket No. 30820/04000

Appln. No. not yet assigned

three months prior to the filing of this statement.

☐ The present Information Disclosure Statement is being filed (without a Statement under 37 C.F.R. § 1.97(e)) after the later of three months from the application's filing date and the mailing date of the first Office Action on the merits, but before a Final Office Action, Notice of Allowance, or an action that otherwise closes prosecution in the application (whichever is earlier). Accordingly, Applicant submits the fee required under 37 C.F.R. § 1.17(p). The fee is being paid in the following manner:

☐ A check is attached in the amount of \$\_\_\_\_\_ as required under 37 § 1.17(p).

☐ The patent office is hereby authorized to charge the amount of \$\_\_\_\_\_ and any related fee to **Deposit Account No. 030172**

☐ The present Information Disclosure Statement is being filed after the mailing of a final Office Action, Notice of Allowance or an action that otherwise closes prosecution in the application, but on or before the payment of the issue fee. Accordingly, Applicant submits the following Statement under 37 C.F.R. § 1.97(e) along with the fee required under 37 C.F.R. § 1.17(p).

☐ Each item of information contained in this information disclosure statement was cited in a Communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.

☐ No item of information contained in this information disclosure statement was cited in a Communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

AND, the fee is being paid in the following manner:

☐ A check is attached in the amount of \$\_\_\_\_\_ as required under 37 § 1.17(p).

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JC14 Rec'd PCT/PTO 03 MAY 2005

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Attorney Docket No. 30820/04000

☐ The patent office is hereby authorized to charge the amount of \$\_\_\_\_\_ and  
any related fee to **Deposit Account No. 030172**

Date:

May 3, 2005

Respectfully submitted,

By:

Paul E. Szabo  
Paul E. Szabo, Reg. No. 30,429  
(216) 622-8200

PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

**(Use as many sheets as necessary)**

**Complete if Known**

Application Number	not yet assigned
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Filing Date	herewith
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First Named Inventor	Dietmar Funnemann
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Art Unit	not yet assigned
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Examiner Name	not yet assigned
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Attorney Docket Number	30820/04000
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Sheet 1 of 3

## U. S. PATENT DOCUMENTS

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## FOREIGN PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>2</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)	MM-DD-YYYY			
		WO 01/61725	08/23/01	Grzelakowski		
		WO 00/42634	07/20/00	Hammond		
		EP 0 470 299	02/12/92	Rose		
		EP 0 293 924	12/07/88	Gerlach		
		EP 0 246 841	11/25/87	Wardell		
		DE 30 14 785	10/22/81	Froitzheim		

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND**

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**Complete if Known**

Application Number	not yet assigned
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Filing Date	herewith
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First Named Inventor	Dietmar Funnemann
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Art Unit	not yet assigned
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Examiner Name	not yet assigned
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Attorney Docket Number	30820/04000
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Sheet	2	of	3
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## U. S. PATENT DOCUMENTS

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## FOREIGN PATENT DOCUMENTS

[illegible]

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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)		<b>Complete if Known</b>	
		Application Number	not yet assigned <b>10/533598</b>
		Filing Date	herewith
		First Named Inventor	Dietmar Funnemann
		Art Unit	not yet assigned
		Examiner Name	not yet assigned
Sheet 3	of 3	Attorney Docket Number	30820/04000

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		Article "More on the Spherical Condenser as an Analyser I. Nonrelativistic Part", H.Z. Sar-El, Nuclear Instruments and Methods, 42, 1966, pp. 71-76.	
		Article "Time-of-flight electron spectrometer for voltage measurements on integrated circuits", AR Dinnis et al, J. Vac. Sci. & Technol. B, Vol 11, No 6, Nov/Dec 1993, 2452-55	
		Article "Imaging Properties of Electrostatic Energy Analyzers with toroidal Fields", B. Wannbert et al, J. Electron Spectroscopy & Related Phenomena, 9, 1976, 111-127.	
		Article "Novel design of a 'spherical' electron spectrometer", K. Jost, J. Phys. E: Sci. Instrum., Vol. 12, 1979, 1006-1012.	
		Article "Energy-Filtered Imaging with Electrostatic Optics for Photoelectron Microscopy", B.P. Tonner, Nuclear Instruments and Methods in Physics Research A291, 1990, 60-66.	
		Article "Resolution Improvements for Hemispherical Energy Analyzers", T. Sagara, et al., Review of Scientific Instruments, Vol. 71, No. 11, Nov. 2000, pp. 4201-4207.	
		International Search Report from PCT/EP03/12283.	

Examiner Signature	Date Considered
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